IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

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WRIT PETITION NO: 10237 of 2004

Between:

1 M. Saibaba Goud S/o. Narayana Swamy
Chengicherla village, Ghatkesar Mandal, R.R.District.
2 G. Yadaiah S/o. Rajaiah
Chengicherla village, Ghatkesar Mandal, R.R.District.
3 B. Chandrakala W/o. Mallesh
Chengicherla village, Ghatkesar Mandal, R.R.District.
4 B. Swamy S/o. B. Narsimha
Chengicherla village, Ghatkesar Mandal, R.R.District.
5 M. Narasimha S/o. M. Chandraiah
Chengicherla village, Ghatkesar Mandal, R.R.District.
6 S.N. Raju S/o. Narayana
Chengicherla village, Ghatkesar Mandal, R.R.District.
7 A. Venkatesh S/o. A. Mallaiah
Chengicherla village, Ghatkesar Mandal, R.R.District.
8 R. Brahmanna S/o. Late Narahari
Chengicherla village, Ghatkesar Mandal, R.R.District.
9 K. Ravi Goud S/o. K. Rajaiah
Chengicherla village, Ghatkesar Mandal, R.R.District.
10 K. Srisailam S/o. Swamy
Chengicherla village, Ghatkesar Mandal, R.R.District.
11 Bingi Pentaiah S/o. B. Komarauiah
Chengicherla village, Ghatkesar Mandal, R.R.District.
12 Ms. D. Sneha D/o. Sekhar,
R/o. Nacharam.

.... PETITIONERS

AND

1 The Sub-Registrar, Ghatkesar, R.R.District.
2 The Mandal Revenue Officer, Ghatkesar Mandal, R.R.District.

3 Bantu Malliah S/o.Bantu Chennaiah
R/o. Chengicherala Village, Ghatkesar Mandal,
R.R.District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, Order of direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 1st respondent in refusing to register the documents presented by the Petitioners for their plots in Survey Nos. 34.35 and 36 of Chengicherla Village, Ghatkesar Mandal, R.R.District on the premise that a letter No. B1/2080/2003 Dt. 28.2.2004 is being sent by the 2nd respondent as illegal, arbitrary, unauthorized and consequently set aside the same and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioners:MR.A.RAVINDER REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

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ORDER:

The grievance of the petitioners is that when they presented certain documents for registration, the first respondent, on the ground that he received a letter dated 28.02.2004 from the second respondent not to register sale deeds in respect of land in Sy.Nos.34, 35 and 36 of Chengicherla village, Ghatkesar Mandal, Ranga Reddy District, is refusing those documents for registration.

2. In the counter filed by the first respondent on behalf of respondents, he denied the petitioners presenting any documents for registration, and has taken some other pleas which are not relevant for the purpose of disposal of this writ petition.

3. As and when a document is presented for registration, the registering authority has to receive the document and if it cannot register the document for any reason, he should pass a reasoned order for refusal of registration. Till such time as the

registering officer passes an order refusing registration, petitioners cannot be said to be aggrieved by communication between respondents *inter se*.

4. Therefore, with a direction to the first respondent to receive any sale deeds if any when presented for registration by the petitioners and act strictly in accordance with the provisions of the Registration Act and the rules made thereunder, the writ petition is disposed of. No costs.

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C.Y.SOMAYAJULU, J

Dated: 17.03.2005

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To

1 The Sub-Registrar, Ghatkesar, R.R.District.
2 The Mandal Revenue Officer, Ghatkesar Mandal, R.R.District.
3 2 CCs to G.P for Revenue, High Court Bldgs, Hyd. (OUT)

4 2 CD copies.